



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 6, 2005

IN REPLY PLEASE

REFER TO FILE: **AE-3**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**JOB ORDER CONTRACTS FOR
REPAIR AND REFURBISHMENT OF COUNTY FACILITIES
AWARD CONTRACT
SPECS. VARIOUS
ALL SUPERVISORIAL DISTRICTS
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT
YOUR BOARD:**

1. Award a Job Order Contract to MTM Construction, Inc., for a one-year contract period for a maximum cost of \$3 million to be financed through the appropriate capital or refurbishment projects' budget.
2. Award a Job Order Contract to ACE Engineering, Inc., for a one-year contract period for a maximum cost of \$3 million to be financed through the appropriate capital or refurbishment projects' budget.
3. Authorize the Interim Director of Public Works to prepare and execute the JOCs in the form previously approved by County Counsel and establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds filed by MTM Construction, Inc., and ACE Engineering, Inc.
4. Authorize the Interim Director of Public Works to execute work orders not to exceed the maximum amount of each contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

We are recommending that your Board award two separate JOCs to MTM Construction, Inc., and ACE Engineering, Inc., the apparent lowest responsive bidders, for repair and refurbishment of County facilities for a maximum not to exceed fee of \$3 million for each one-year contract.

The JOC is a flexible, cost-effective unit price contracting technique to accomplish repair and refurbishment of County facilities without extensive plans and specifications. This relatively simple and straightforward process reduces administrative requirements and lowers direct construction costs, while meeting all Federal, State, and County procurement requirements.

We are currently administering four active JOCs. The most recent JOC for repair and refurbishment of Public Works facilities was awarded by your Board on June 15, 2004. These JOCs will help expedite, as the need arises, capital improvement and earthquake repair of facilities in the courts, health, justice, and general project areas.

Public Contract Code Section 20128.5 allows individual JOCs to have a one-year term and a maximum value of \$3 million.

We will report activity on the JOC to your Board quarterly along with our regular report on delegated contracting activity.

Implementation of Strategic Plan Goals

These actions meet the County's Strategic Plan Goals of Service Excellence and Organizational Effectiveness as this construction contract will improve public facilities and restore them fully into service sooner than with traditional construction contracting.

FISCAL IMPACT/FINANCING

The recommended construction contracts with MTM Construction, Inc., and ACE Engineering, Inc., are \$3 million each. There is no anticipated fiscal impact to the County as a result of this action. Repair or refurbishment work will be financed through the appropriate capital or refurbishment projects' budget. No work will be assigned to these JOCs without the prior review and funding authorization from the Chief Administrative Office.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses for contract terminations, renegotiations, and hiring qualified displaced County employees will be included.

The project specifications also contain provisions requiring the contractors to report solicitations of improper consideration by County employees and allowing the County to terminate the contracts if it is found that the contractors offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, MTM Construction, Inc., and ACE Engineering, Inc., are willing to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

MTM Construction, Inc., and ACE Engineering, Inc., as required on all publicly funded projects in excess of \$1,000, will be required to pay prevailing State wage rates to all persons employed on these JOCs.

As required by your Board, language has been incorporated into the project specifications stating that the contractors shall notify their employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135, the Safely Surrendered Baby Law, and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

MTM Construction, Inc., and ACE Engineering, Inc., are in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

ENVIRONMENTAL DOCUMENTATION

The implementation of each work order under these JOCs shall be subject to prior determination and documentation by Public Works that the work order is categorically exempt from the California Environmental Quality Act. In the event the work order is not exempt, your Board will be requested to approve the appropriate environmental finding and documentation prior to implementation.

CONTRACTING PROCESS

On November 1, 2004, using the JOC Unit Price Book and Specifications for the repair and refurbishment of County facilities your Board adopted on April 13, 2004, we issued a Request for Bids for two JOCs. Five competitive bids were received on November 30 and December 2, 2004. Bidders were required to submit a set of cost adjustment factors that would be applied to the unit prices for work in the JOC Unit Price Book. Each bid was determined by calculating a composite factor using a predetermined and advertised formula. MTM Construction, Inc., and ACE Engineering, Inc., were the apparent lowest responsive and responsible bidders meeting the criteria adopted by your Board. The JOC Unit Price Book and the contractors' adjustment factors will be incorporated in the awarded contracts. The bid results are summarized in Enclosure A.

MTM Construction, Inc.'s, and ACE Engineering, Inc.'s, three-year contracting history are on file with Public Works.

To ensure the contracts are awarded to responsible contractors with a satisfactory performance history, bidders were required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by MTM Construction, Inc., and ACE Engineering, Inc., was considered before making this recommendation to approve execution of the contracts.

As requested by your Board on February 3, 1998, this JOC opportunity was listed on the "Doing Business with Us" website. Copies of the website postings are included as Enclosure B for your reference.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts as these contracts are for non-Proposition A services.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The use of these contracts will expedite the completion of repair or refurbishment work managed by Public Works. Minor impacts to tenant departments may occur while repair or refurbishment work is underway.

The Honorable Board of Supervisors
January 6, 2005
Page 5

CONCLUSION

Please return one adopted copy of this letter to the Chief Administrative Office and Public Works.

Respectfully submitted,

DONALD L. WOLFE
Interim Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

CN:dh

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Enc. 2

cc: County Counsel
Department of Public Social Services (GAIN/GROW Program)
Office of Affirmative Action Compliance

January 6, 2005

ENCLOSURE A

**JOB ORDER CONTRACTS FOR
REPAIR AND REFURBISHMENT OF COUNTY FACILITIES
AWARD CONTRACT
SPECS. VARIOUS**

Bid Opening Date: November 30, 2004

Bid Summary:

<u>Bidder</u>	<u>Total Composite Factor</u>
1. MTM Construction, Inc.	0.8792
2. ACE Engineering, Inc.	0.9790
3. Mackone Development, Inc.	1.0400
4. New Creation Builders	1.0952
5. Integrated Construction Technology Corp.	1.4399

Bid Opening Date: December 2, 2004

Bid Summary:

<u>Bidder</u>	<u>Total Composite Factor</u>
1. ACE Engineering, Inc.	0.9530
2. MTM Construction, Inc.	0.9800
3. Mackone Development, Inc.	0.9900
4. New Creation Builders	1.0240
5. Integrated Construction Technology Corp.	1.3919

Award information has not been added at this time.

Bid Information**Bid Number :** AEDM000020**Bid Title :** Job Order Contract No. 17.1**Bid Type :** Construction**Department :** Public Works**Commodity :** BUILDING CONSTRUCTION SERVICE, NON- RESIDENTIAL (OFFICE BLDG., ETC.)**Open Date :** 11/1/2004**Closing Date :** 11/30/2004 10:45 AM**Notice of Intent to Award :** [View Detail](#)**Bid Amount :** \$ 3,000,000**Bid Download :** Not Available

Bid Description : This JOC will be used to repair and refurbish Los Angeles County facilities. Public Works will hold a mandatory pre-bid conference at 10:00 a.m., on November 16, 2004, in Conference Room E, 900 S. Fremont Ave., Alhambra, CA 91803, to provide information on the Job Order Contract, bidding process, and answer any questions that potential bidders may have. It is strongly recommended that the pre-bid conference be attended by a principal of the company or a person authorized to make decisions for the company. The maximum dollar value of the contract is \$3,000,000.

Contact Name : Dennis Morelos**Contact Phone# :** (626) 458-2180**Contact Email :** dmorelos@ladpw.org**Last Changed On :** 12/2/2004 8:07:12 AM[Back to Last Window](#)[Back to Award Main](#)

Award information has not been added at this time.

Bid Information

Bid Number : AEDM000021

Bid Title : Job Order Contract No. 18.1

Bid Type : Construction

Department : Public Works

Commodity : BUILDING CONSTRUCTION SERVICE, NON- RESIDENTIAL (OFFICE BLDG., ETC.)

Open Date : 11/1/2004

Closing Date : 12/2/2004 10:45 AM

Notice of Intent to Award : [View Detail](#)

Bid Amount : \$ 3,000,000

Bid Download : Not Available

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